



## **COUNCIL WORK SESSION**

**Tuesday, March 19, 2013**

**6:15 p.m.**

**Coon Rapids City Center**

**Conference Room 1**

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### **Call to Order**

Pursuant to Minnesota Statute 13D.04, subd. 2, the City Council will meet in work session to discuss the following:

1. Limitation on Number of Domestic Animals Ordinance

### **Other Business**

### **Adjourn**



AI-1061

1.

**City Council Work Session**

**Meeting Date:** 03/19/2013

**Subject:** Limitation on Number of Domestic Animals Ordinance

**From:** David Brodie, City Attorney

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**INTRODUCTION**

At the October 16, 2012 City Council meeting, the City Council introduced an ordinance to limit the number of domestic animals maintained at a dwelling within the City to twelve. Council chose to discuss the proposed ordinance at a work session prior to considering adoption of the ordinance. Additionally, staff was asked to look into the possibility of allowing chickens and bees as permitted domestic animals in the City.

**DISCUSSION**

To review, City Code 6-0502 (1) defines domestic animals as non-poisonous snakes or snakes not prohibited by this Chapter, birds kept indoors, non-poisonous spiders, turtles, lizards, hamsters, chinchillas, mice, rabbits, gerbils, white rats, guinea pigs, or similar small animals capable of being maintained continuously in cages and indoors. The City's current code does not provide any limitation on the number of domestic animals that a household may possess. Having a large numbers of permitted animals can cause unhealthy and unsanitary conditions in a dwelling and create potential issues for the animals. Animal control officers have indicated that large numbers of animals in a residential setting can lead to crowding, disease and cross-contamination, and may require special care by persons who are well-trained. In addition, both police and fire have raised issues about responding to calls at residences in which a large number of animals present can cause public safety issues. A large number of animals cause increased issues with responding to fires, medical emergencies, and/or police calls.

Staff has researched other cities in the metropolitan area and found that some but not all regulate the number of animals that are allowed to be maintained. The proposed ordinance before the City Council was based on a similar code provision in Bloomington. In Bloomington, a resident is limited to 3 domestic animals including cats and dogs. Rather than limit the number to 3, the proposed ordinance recommends limiting the number of domestic animals that can be maintained in a dwelling to 12 domestic animals. This number is an addition to the 2 cats and dogs or a combination of both that can be maintained at a residence and which are regulated under separate ordinances. Staff believes that the proposed limitation of 12 domestic animals is reasonable in that it protects the health, safety and welfare of both the residences of the City and the domestic animals themselves, but still allows residents the opportunity to maintain these permitted animals.

The City currently prohibits the keeping of chickens. Urban chickens are becoming a more common issue in cities across the state and country. Benefits touted for raising urban chickens include birds as being good pets, stress relievers, and easy to keep. Most people, though, choose to keep chickens because they believe the meat and eggs they grow will be safer and less expensive than store purchased products. According to the Center of Disease Control (CDC) risks include birds carrying bacteria that can cause illness. Baby chicks may be especially prone to shed these germs and cause human illness. Young birds are often shipped several times before they reach a permanent home. Shipment and adapting to new locations causes stress on birds and makes them more likely to shed bacteria in their droppings. While anyone can become ill from exposure to these germs, the risk of infection is especially high for children, the elderly, and persons with weakened immune systems; for example, people

receiving chemotherapy or who are HIV-infected. These bacteria include salmonella. Per the CDC, Birds infected with Salmonella do not usually appear sick. Salmonella lives in the intestine of infected chickens, and can be shed in large numbers in the droppings. Once shed, bacteria can spread across the chicken's body as the bird cleans itself and throughout the environment as the chicken walks around. Risks also include potential noise, odor, attracting predatory animals and like other animals, chickens must continually be maintained.

There are no state laws that address urban chickens or keeping of chickens, so it is up to the City Council to decide if it wants to regulate the keeping of chickens. The City may choose to allow, allow if a permit is obtained from the City, or prohibit urban chickens. The City can do this in a number of ways, including regulation under the general animal or farm animal ordinance or by passing an ordinance specific to keeping chickens. If the Council chooses to allow and regulate the keeping of urban chickens, some common requirements used by other cities are:

- Allowing hens only
- Limiting the number of hens allowed
- Maintaining the coops and runs in a sanitary and humane condition
- Keeping chickens contained and under control at all times
- Locating coops a certain distance from property lines, and other structures like houses

In surveying cities in the metro, several including Andover, Blaine, Brooklyn Park, and Brooklyn Center do not allow the keeping chickens. Others limit chickens to certain lot sizes: Minnetonka .5 acre or greater; Bloomington 1.0 acre or greater; and Woodbury 5 acres or greater. Minneapolis allows through a permit process and St. Paul allows one hen on any residential lot.

Bees are similar in that they are not regulated by the State, so that it is left to the City Council as to how to regulate the keeping of bees. Most cities in the metropolitan area do not allow bees. Cities that do allow for the keeping of bees include Bloomington on acre or more lots; Minneapolis by permit only and with consent of neighbors; and St. Paul by permit only.

### **RECOMMENDATION**

Staff requests any input on limiting the number of domestic animals before the introduced ordinance is placed back on the agenda. Staff requests input as to whether it should explore further the keeping of chickens and/or bees.

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### **Attachments**

#### **Ordinance**

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**ORDINANCE NO.**

**AN ORDINANCE REVISING THE TITLE OF CHAPTER 6-500 AND  
LIMITING THE NUMBER OF DOMESTIC ANIMALS AND THEREBY  
AMENDING REVISED CITY CODE – 1982 CHAPTER 6-500 TITLE AND  
ADDING NEW SECTION 6-507**

**The City of Coon Rapids does ordain:**

Section 1. Revised City Code – 1982 Chapter 6-500, Non-Domestic Animals is hereby amended as follows: (deletions in brackets, additions double underlined)

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 6-500

DOMESTIC AND NON-DOMESTIC ANIMALS

Section 2. Revised City Code – 1982 Chapter 6-500 is hereby amended by adding new a new section, which is to be inserted as Section 6-507 as follows and the following sections renumbered accordingly: (additions double underlined)

6-507 Limitation of Number of Domestic Animals. It shall be unlawful to keep, maintain, or harbor in any one household unit, lot, or premise or portion thereof, more than twelve domestic animals. Excluded from this limitation are cats and dogs, which are regulated under City Code Chapter 6-100, 6-200, 6-400; and fish; and lawful pet stores.

Introduced this 16<sup>th</sup> day of October, 2012.

Adopted this \_\_\_\_ day of \_\_\_\_\_.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk